

MELINDA HAAG (CABN 132612)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

EUMI L. CHOI (WVBN 722)
Assistant United States Attorney

150 Almaden Boulevard
San Jose, California 95113
Telephone: (408) 535-5079
Facsimile: (408) 535-5066
Email: Eumi.Choi@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-01119 JW
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE STATUS
v.)	HEARING AND TO EXCLUDE TIME
)	FROM SEPTEMBER 20, 2010, THROUGH
SUSAN NAHAPETIAN,)	OCTOBER 25, 2010, FROM THE SPEEDY
)	TRIAL ACT CALCULATION (18 U.S.C. §
Defendant.)	3161(h)(7)(A),(B))

A status hearing is set in this matter for September 20, 2010. The parties are seeking to continue the September 20, 2010, hearing for defendant Susan Nahapetian to October 25, 2010, in order to allow defense counsel the opportunity to complete his review of the materials recently made available to him in the discovery process, and to reach a pre-trial resolution with the government of the pending criminal matter. The parties have agreed to stipulate to an exclusion of time under the Speedy Trial Act to allow counsel for defendant reasonable time for effective preparation.

The United States hereby submits this written request for an order finding that said time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served by taking such action and outweigh the best interests of the public and defendant in a speedy

trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would
unreasonably deny counsel for defendant the reasonable time necessary for effective preparation,
taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

DATED: September 17, 2010

MELINDA HAAG
United States Attorney

_____/s/_____
EUMI L. CHOI
Assistant United States Attorney

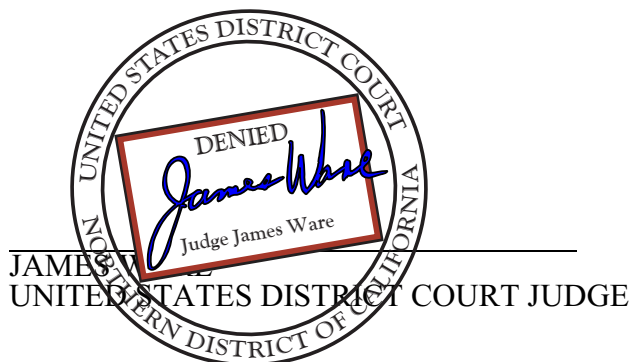
_____/s/_____
GEORGE MGDESYAN, ESQ.
Counsel for Defendant

ORDER

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the time between September 20, 2010, through October 25, 2010, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served by taking such action and outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: September 20, 2010



JAMES WARE
UNITED STATES DISTRICT COURT JUDGE